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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,301	03/11/2004	Jason Robert McGee	RSW920030263US1	7832

36736 7590 07/10/2007
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EXAMINER

LOVEL, KIMBERLY M

ART UNIT	PAPER NUMBER
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2167

MAIL DATE	DELIVERY MODE
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07/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of Allowability

Application No.

10/799,301

Examiner

Kimberly Lovel

Applicant(s)

MCGEE ET AL.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/8/2007.
2. ☒ The allowed claim(s) is/are 1,4,8 and 9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some⁴ c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20070702</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This action is responsive to Applicants' Amendment filed 8 June 2007.
2. Claims 1, 4, 8 and 9 are pending in this application. In the Amendment filed 8 June 2007, claims 1 and 8-10 were amended and claims 2-3, 5-7 and 11-20 were canceled.
3. After a thorough search and examination of the present application and in light of prior art made of record and Applicants' Amendments and Remarks filed 8 June 2007 and the Examiner's amendments made on 2 July 2007, which amended claim 1 and canceled claim 10, claims 1, 4, 8 and 9 (renumbered as claims 1-4, respectively) are allowed.

EXAMINER'S AMENDMENT

4. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Gerald Glanzman (Reg. No. 25,035) on 2 July 2007. The interview summary is attached.

Please amend claim 1 as follows and cancel claim 10:

1. (Currently amended) An apparatus ~~[[for maintaining]]~~ to maintain compatibility between nodes within a distributed systems management environment, comprising:

a master node, said master node including a primary storage area, said primary storage area including at least two primary storage sections; and

a plurality of slave nodes, each slave node of said plurality of slave nodes configured with a plurality of configuration settings having a first format, and each slave node of said plurality of slave nodes including a secondary storage area,

wherein said master node is ~~[[operable]]~~ configured to:

read said plurality of configuration settings having said first format from a first primary storage section of said at least two primary storage sections;

transform said plurality of configuration settings having said first format to a plurality of configuration settings having a second format;

write said plurality of configuration settings having said second format to a second primary storage section of said at least two primary storage sections; and

convey said plurality of configuration settings having said second format from said second primary storage section to each said secondary storage area of said plurality of slave nodes, wherein said convey operation comprises a synch out operation; and

wherein each said slave node of said plurality of secondary slave nodes is

~~[[operable]]~~ configured to:

receive said plurality of configuration settings having said second format;

and

Art Unit: 2167

reconfigure in accordance with said plurality of configuration settings

having said second format,

wherein said first format comprises a WebSphere version 5.x format, and said second format comprises a WebSphere 6.x format, and further wherein said plurality of configuration settings having said first format comprises at least one 5.x XSL schema document, and said plurality of configuration settings having said second format comprises at least one 6.x XSL schema document.

10. (Canceled)

Reasons for Allowance

5. The following is a statement of reasons for the indication of allowable subject matter:

In the Examiner's Final Office Action dated 9 March 2007, the 35 USC § 103 rejection of **claims 1, 4, 7, 9, 12, 15 and 18-20** were based on US PGPub 2004/010786 to Cool et al and US PGPub 2003/0014447 to White; **claims 2, 5, 13 and 16** were based on US PGPub 2004/010786 to Cool et al, US PGPub 2003/0014447 to White and US PGPub 20020198734 to Greene; **claims 3 and 14** were based on US PGPub 2004/010786 to Cool et al, US PGPub 2003/0014447 to White and US PGPub 20020093097 to Warrington; **claims 6, 11 and 17** were based on US PGPub 2004/010786 to Cool et al, US PGPub 2003/0014447 to White and US PGPub 2004/0205162 to Parikh; **claim 8** was based on US PGPub 2004/010786 to Cool et al, US PGPub 2003/0014447 to White and US PGPub 2003/0028521 to Teloh; and **claim 10** was based on US PGPub 2004/010786 to Cool et al, US PGPub 2003/0014447 to White and US PGPub 2005/0055595 to Frazer.

It is noted that claim 1 recites an apparatus, which includes a master node and a plurality of slave nodes. The nodes exist in a computing environment and are considered to be limited to representing servers, data processing units and other forms of hardware supported by the Applicants' specification (Applicants' Specification: see page 6, lines 4-12 and page 7, line 27 – page 8, line 6).

The Amendment filed 8 June 2007, further narrowed and clarified the subject matter in each of the independent claims. Claim 1 was amended to include the

Art Unit: 2167

limitation "wherein said first format comprises a WebSphere version 5.x format, and said second format comprises a WebSphere 6.x format, and further wherein said plurality of configuration setting having said first format comprises at least one 5.x XSL schema document, and said plurality of configuration settings having said second format comprises at least one 6.x XSL schema document." WebSphere is a product owned by International Business Machines, whom is the assignee of the current application. The combination of the limitations as a whole within the amended independent claims overcome the prior art and therefore are considered allowable subject matter.

An updated search of prior arts on EAST database and on domains (NPL-ACM, Google, NPL-IEEE) has been conducted. The prior art searched and investigated in the database and domains does not fairly teach or suggest the teaching of the newly amended claimed subject matter as described above and reflected by the combined elements in the independent claim 1.

The dependent claims 4, 8 and 9 depending directly upon claim 1 are also distinct from the prior art for the same reasons.

6. Any comments considered necessary by applicant must be submitted no later than payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statements of Reasons for Allowance."

Art Unit: 2167

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly Lovel whose telephone number is (571) 272-2750. The examiner can normally be reached on 8:00 - 4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kimberly Lovel
Examiner
Art Unit 2167

5 July 2007
kml


JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
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